

Certificate of Notice Page 1 of 3
United States Bankruptcy Court
Eastern District of Pennsylvania

In re:
Joseph Spatacco
Debtor

Case No. 17-10008-amc
Chapter 13

CERTIFICATE OF NOTICE

District/off: 0313-2

User: Virginia
Form ID: pdf900

Page 1 of 1
Total Noticed: 1

Date Rcvd: Nov 27, 2017

Notice by first class mail was sent to the following persons/entities by the Bankruptcy Noticing Center on Nov 29, 2017.

db +Joseph Spatacco, 1205 Joshua Drive, West Chester, PA 19380-5824

Notice by electronic transmission was sent to the following persons/entities by the Bankruptcy Noticing Center.
NONE. TOTAL: 0

***** BYPASSED RECIPIENTS *****

NONE. TOTAL: 0

Addresses marked '+' were corrected by inserting the ZIP or replacing an incorrect ZIP.
USPS regulations require that automation-compatible mail display the correct ZIP.

Transmission times for electronic delivery are Eastern Time zone.

I, Joseph Speetjens, declare under the penalty of perjury that I have sent the attached document to the above listed entities in the manner shown, and prepared the Certificate of Notice and that it is true and correct to the best of my information and belief.

Meeting of Creditor Notices only (Official Form 309): Pursuant to Fed. R. Bank. P. 2002(a)(1), a notice containing the complete Social Security Number (SSN) of the debtor(s) was furnished to all parties listed. This official court copy contains the redacted SSN as required by the bankruptcy rules and the Judiciary's privacy policies.

Date: Nov 29, 2017

Signature: /s/Joseph Speetjens

CM/ECF NOTICE OF ELECTRONIC FILING

The following persons/entities were sent notice through the court's CM/ECF electronic mail (Email) system on November 27, 2017 at the address(es) listed below:

CHRISTOPHER R. MOMJIAN on behalf of Creditor Commonwealth of PA, Dept of Revenue
crmomjian@attorneygeneral.gov
DENISE ELIZABETH CARLON on behalf of Creditor VW Credit Leasing, Ltd bkgroup@kmlawgroup.com
HARRY B. REESE on behalf of Creditor WELLS FARGO BANK, N.A. harry.reese@pkallc.com,
chris.amann@pkallc.com;nick.bracey@pkallc.com;jill@pkallc.com;samantha.gonzalez@pkallc.com
JILL MANUEL-COUGHLIN on behalf of Creditor WELLS FARGO BANK, N.A. jill@pkallc.com,
chris.amann@pkallc.com;nick.bracey@pkallc.com;samantha.gonzalez@pkallc.com;harry.reese@pkallc.com
STEPHEN VINCENT BOTTIGLIERI on behalf of Debtor Joseph Spatacco steve@bottiglierilaw.com,
ecfnotice@comcast.net
United States Trustee USTPRegion03.PH.ECF@usdoj.gov
WILLIAM C. MILLER, Esq. ecfemails@ph13trustee.com, philaecf@gmail.com

TOTAL: 7

POWERS, KIRN & ASSOCIATES, LLC
By: Jill Manuel-Coughlin, Esquire
ID# 63252
8 Neshaminy Interplex, Suite 215
Trevose, PA 19053
Telephone: 215-942-2090
Attorney for Movant/ 14-0962

**IN THE UNITED STATES BANKRUPTCY COURT
FOR THE EASTERN DISTRICT OF PENNSYLVANIA**

IN RE: Joseph Spatacco, aka J.A. Spatacco	Chapter 13 Proceeding
Debtor	17-10008 AMC
WELLS FARGO BANK, N.A.	Movant
v. Joseph Spatacco, aka J.A. Spatacco Gina M. Spatacco (CoDebtor) William C. Miller, Esquire	Respondents

**STIPULATION IN SETTLEMENT OF
MOTION FOR RELIEF FROM THE AUTOMATIC STAY**

WHEREAS, the parties hereto, and their respective counsel, have agreed as to the disposition of the Motion for Relief from the Automatic Stay filed by Jill Manuel-Coughlin, Esquire on behalf of secured creditor, WELLS FARGO BANK, N.A. ("Movant").

NOW, THEREFORE, intending to be legally bound, the parties hereto, herewith stipulate as follows:

1. The Automatic Stay as provided by Section 362 of the Bankruptcy Code shall remain in full force and effect conditioned upon the terms and conditions set forth herein.
2. This Stipulation pertains to the property located at 1205 Joshua Drive, West Chester, PA 19380, mortgage account ending with 4327.
3. Upon approval by the United States Bankruptcy Court of the within Stipulation, Debtor and Movant, agree to the following:
 - (a) Parties acknowledge that the current regular monthly post-petition payment is **\$2,865.47** per month.
 - (b) Parties acknowledge that the following amounts are currently due post-petition:


Monthly Payments: 6/1/2017 – 11/1/2017 @ \$2,865.47	\$17,192.82
Less Debtor Suspense:	(\$538.12)
Total Post-Petition Arrearage:	\$16,654.70

- (c) Commencing with the 12/1/2017 payment the Debtor shall resume and shall continue to make all regular monthly post-petition payments when they are due in accordance with the terms of the Note & Mortgage.
- (d) On or before 11/30/2017, Debtor shall make a down-payment to Movant in the amount of **\$2,865.47**. This payment shall be applied to the post-petition arrears as shown in paragraph 3 (b) above.

Certificate of Notice Page 3 of 3

- (e) Beginning DECEMBER 2017 and continuing monthly through MAY 2018; in addition to the regular monthly post-petition payment; Debtor shall pay to Movant the additional sum of **\$2,298.21** per month (*parties agree that the remaining \$.03 from the final stip payment will be placed in debtor suspense to credit the overage*). Additional "stip payments" shall be due on the last day of each month. These additional payments shall be applied towards the arrears shown in paragraph 3(b) above.
- (f) If sufficient proof is provided (front and back copies of checks or money orders) of payments made, but not credited, the account will be adjusted accordingly.
- (g) All post-petition payments from Debtor to Movant shall be sent to Wells Fargo Bank N.A. Attention: Bankruptcy Payment Processing/MAC #X2302-04C, One Home Campus, Des Moines, IA 50328.
- (h) The provisions of the Stipulation do not constitute a waiver by Movant of its right to seek reimbursement of any amounts not included in this Stipulation, including fees and costs, due under the terms of the contract and applicable law.
- (i) The Debtor shall timely tender all payments and comply with all conditions in accordance with this Stipulation. If such payments or conditions are not timely made, or if the case should convert to a Chapter 7 Bankruptcy, Movant may provide the Debtor and their counsel with fifteen (15) days written notice of default. If the default is not cured within the fifteen (15) day period, Movant may certify the default to this Court and an Order shall be entered granting Movant relief from the automatic stay without further notice and hearing and waiving FED. R. Bankr. P. 3002.1 and waiving Rule 4001 (a)(3) so that the Relief Order is immediately effective and enforceable.
- (j) The parties agree that a facsimile may be submitted to the Court as if it were an original.

STIPULATED AND AGREED TO BY:




Stephen Vincent Bottighieri, Esquire
Attorney for Debtor
Date: 11/17/17

/s/ Jill Manuel-Coughlin, Esquire

Jill Manuel-Coughlin, Esquire
Attorney for Movant
Date: 11/20/2017

William C. Miller, Esquire
Trustee
Date:

On this 27 day of November, 2017, approved by the Court.



United States Bankruptcy Judge
Ashely M. Chan